



CAL FIRE
San Luis Obispo
County Fire Department

635 N. Santa Rosa • San Luis Obispo, CA 93405
Phone: 805-543-4244 • Fax: 805-543-4248
www.calfireslo.org

Robert Lewin, Fire Chief

TO: County Clerk
County of San Luis Obispo

Project Title – ADOPTION OF AN ORDINANCE OF THE LOS OSOS COMMUNITY SERVICES DISTRICT AMENDING AND RESTATING THE DISTRICT'S FIRE PREVENTION CODE FOUND IN TITLE 4 OF THE LOS OSOS COMMUNITY SERVICES DISTRICT CODES, INCLUDING THE ADOPTION OF THE 2013 EDITION OF THE CALIFORNIA FIRE CODE, INCLUDING ANNUAL SUPPLEMENTS AND STATE AND LOCAL AMENDMENTS AND ERRATA (DISTRICT FIRE CODE)

Project Location – Specific: Within the Los Osos Community Services District (District) boundary (map attached).

Project Location – County: San Luis Obispo

Description of Nature, Purpose and Beneficiaries of Project: The District Fire Prevention Code establishes the minimum requirements consistent with nationally recognized good practices to safeguard the public health, safety and general welfare from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises and to provide safety and assistance to fire fighters and emergency responders during emergency operations.

Name of Public Agency Approving Project: Los Osos Community Services District (District)

Name of Person or Agency Carrying Out Project: Los Osos Community Services District by contract with the California Department of Forestry / San Luis Obispo County Fire Chief.

Exempt Status: (Check One)

<input type="checkbox"/>	Ministerial	{Sec. 21080(b)(1); 15268}
<input type="checkbox"/>	Declared Emergency	{Sec. 21080(b)(3); 15269(a)}
<input type="checkbox"/>	Emergency Project	{Sec. 21080(b)(4); 15269(b)(c)}
<input checked="" type="checkbox"/>	Categorical Exemption	{Sec.; Class: }
<input type="checkbox"/>	Statutory Exemption	{Sec._____}

Reasons why project is exempt: The adoption of the District Fire Prevention Code:

1. Constitutes "general policy and procedure making" described in Section 15378(b)(2) of the CEQA Guidelines which are deemed not to be "projects"; and/or

2. Is exempt from review pursuant to Section 15061(b)(3), which provides that an activity is not subject to CEQA review where it can be seen with certainty that there is no possibility that it may have a "significant effect on the environment."
3. Is exempt from review pursuant to Section 15304 of the CEQA Guidelines which exempts from CEQA review minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes.

Findings: Section 7 of the Ordinance adopting the District Fire Prevention Codes states:

The District Board of Directors has considered the Amendment and Restatement of the District's Fire Prevention Code. The Board of Directors has, as a result of its consideration, the evidence presented at the hearings on said matter, and all comments that were received during the public hearing process. Finds:

1. That the adoption Chapters 4.01 and 4.02 of this Amendment and Restatement of the District Fire Prevention Code, including amendments to the California Fire Code does not constitute a "project" under the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et.seq.) or its implementing Guidelines (14 California Code of Regulations Section 15000 et.seq.) (CEQA Guidelines). The Board of Directors finds that the adoption of Chapters 4.01 and 4.02 of the District Fire Prevention Code, including amendments to the California Fire Code constitutes "general policy and procedure making" described in Section 15378(b)(2) of the CEQA Guidelines which are deemed not to be "projects". Even if the adoption of Chapters 4.01 and 4.02 of the District Fire Prevention Code, including the amendments to the California Fire Code is a "project" for purposes of CEQA, the District Board finds that it is exempt from review pursuant to Section 15061(b)(3) which provides that an activity is not subject to CEQA review where it can be seen with certainty that there is no possibility that it may have a "significant effect on the environment." The District Board finds that it can be seen with certainty that there is no possibility that the adoption Chapters 4.01 and 4.02 of the District Fire Prevention Code, including the amendments to the California Fire Code may have a significant effect on the environment.
2. That the adoption of Chapter 4.04 of this Amendment and Restatement of the District Fire Prevention Code related to weed abatement is exempt from review pursuant to Section 15304 of the CEQA Guidelines which exempts from CEQA review minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. The Board of Directors further finds that Chapter 4.04 of the Districts Fire Prevention Code exempts Property Owners from weed abatement where such activities would result in the taking of endangered, rare, or threatened plant or animal species or would cause significant erosion and sedimentation of surface waters.

The District General Manager is authorized to prepare, execute and file a notice of exemption pursuant to the above provisions.

Laurie Donnelly, Battalion Chief/Fire Marshal

805-543-4244

Lead Agency Contact Person

Telephone

If filed by applicant:

1. Attach certified document of exemption finding
2. Has a notice of exemption been filed by the public agency approving the project?
Yes ☐ No ☐

Signature

Kathy A. Kivley

Date

12-06-2013

Name (Print)

Kathy A. Kivley

Title: District General Manager

Los Osos Community Services District